

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

KATANA SILICON TECHNOLOGIES
LLC,

Plaintiff

v.

GLOBALFOUNDRIES, INC;
GLOBALFOUNDRIES U.S. INC.; and
GLOBALFOUNDRIES U.S. 2 LLC

Defendants.

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NO. 6:22-cv-00191-ADA

Jury Trial Demanded

**DECLARATION OF FAISAL SALEEM IN SUPPORT OF DEFENDANTS' MOTION
FOR INTRA-DISTRICT TRANSFER OF VENUE**

I, Faisal Saleem, declare and state as follows:

1. I am employed as a Vice President at GlobalFoundries U.S. Inc. I live in Austin, Texas and work at GlobalFoundries office located at Travis Oaks, 5113 Southwest Parkway, Suite 300, Austin, Texas 78735. I have been a GlobalFoundries employee since 2009. In this role, I am responsible for sales for all GlobalFoundries customers in the central and eastern United States.

2. I submit this declaration on behalf of GlobalFoundries Inc., GlobalFoundries U.S. Inc., and GlobalFoundries U.S. 2 LLC (collectively, "GlobalFoundries" or "Defendants") and in support of Defendants' Motion for Intra-District Transfer of Venue to the Austin Division of the Western District of Texas.

Unless otherwise indicated below, the statements in this declaration are based either upon my personal knowledge, investigation, or corporate records maintained by GlobalFoundries in the ordinary course of business.

3. I am informed and understand that Plaintiff Katana Silicon Technologies LLC (“Katana”) has filed this suit in the Waco Division of the Western District of Texas. I further am informed and understand that the Waco Division of the Western District of Texas includes the following counties: Bell, Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Leon, Limestone, McLennan, Milam, Robertson, and Somervell.

4. Defendant GlobalFoundries Inc. is a Cayman Islands corporation headquartered in Grand Cayman, Cayman Islands. GlobalFoundries Inc. is a holding company with no offices or employees.

5. Defendant GlobalFoundries U.S. Inc. is a Delaware corporation and subsidiary of GlobalFoundries Inc., with its principal place of business in Santa Clara, California. GlobalFoundries U.S. employees based in the United States work at facilities located in Santa Clara, California; Austin, Texas; Malta, New York; and East Fishkill, New York.

6. Defendant GlobalFoundries U.S. 2 LLC is a Delaware corporation and subsidiary of GlobalFoundries U.S., with its principal place of business in Hopewell Junction, New York. GlobalFoundries U.S. 2 employees based in the United States work at facilities located in Santa Clara, California; Austin, Texas; Burlington, Vermont; Malta, New York; and East Fishkill, New York.

7. The GlobalFoundries Austin, Texas facility is located at Travis Oaks, 5113 Southwest Parkway, Suite 300, Austin, Texas 78735. The Austin facility was established in 2009 and employs approximately 125 employees.

8. Defendants do not: (a) own or lease any office space or other facility in the Waco Division; (b) store inventory or deliver inventory in the Waco Division; (c) have any employees based in the Waco Division; (d) represent, internally or externally, that they have any presence in

the Waco Division; (e) have any customers that are located in the Waco Division or derive sales revenue from the Waco Division; or (f) engage in any marketing efforts targeted toward the Waco Division.

9. I have been informed and understand that, in the litigation, Katana has alleged that products made using GlobalFoundries' 14 nm node LPP, 12 nm node LP, and 12 nm node LP+ FinFET processes infringe claims of U.S. Patent No. 6,291,861, and that GlobalFoundries' 32 nm controller infringes claims of United States Patent No. 7,402,903 (together, the "Accused Products"). The Accused Products are manufactured at Defendants' manufacturing fabrication facilities located in Malta, New York, and East Fishkill, New York.

10. With the exception of one employee, Defendants have no employees that work in the Waco Division of the Western District of Texas. Defendants' single employee that works in the Waco Division of the Western District of Texas works remotely as an "Austin offsite" employee in Defendants' "GlobalShuttle MPW" group, which manages GlobalFoundries customer prototyping needs across the range of GlobalFoundries process technologies, and involves coordinating with different customers for the sharing of certain materials (such as wafers). He is not involved with manufacturing, sales or marketing of the Accused Products. I understand that he has access to certain documents from his remote home office, but that he does not have access to confidential sales, marketing, supply chain, or certain technical documents (*e.g.*, process flow files and recipes for manufacturing) relating to the Accused Products, and does not possess any other documents relevant to this action.

11. Defendants' employees based in Austin, Texas are focused on the marketing, sales, supply chain, business and technical operations, including tape-out engineering and field engineering, product management, customer service and other support for GlobalFoundries

products including the Accused Products. Defendants' Austin facility includes several groups that are potentially relevant to the allegedly infringing activities, including the Application Engineering team, the worldwide Sales team, and the SRAM memory group, and other groups dedicated to other aspects of GlobalFoundries' business. Defendants' employees in Austin also work on and engage with several significant customers that are based in Austin, including Advanced Micro Devices ("AMD"), [REDACTED].

12. In 2008, GlobalFoundries acquired AMD's facilities in Dresden, Germany as well as its business functions related to AMD's manufacturing operations that were based in Austin. GlobalFoundries' Austin office has thus been historically very involved with AMD in Austin. GlobalFoundries' employees in Austin handle [REDACTED] [REDACTED] for AMD, and regularly engage with their counterparts at AMD in Austin concerning the products that Katana has accused of infringement—[REDACTED]

[REDACTED] GlobalFoundries' Austin employees engage with AMD's Austin employees on [REDACTED]
[REDACTED]
[REDACTED]

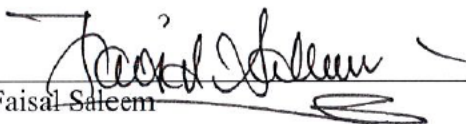
13. Records describing the marketing, sales, supply chain, business and technical operations, product management and support for the Accused Products, as described in paragraph 11, are generated at the GlobalFoundries facility in Austin, Texas. GlobalFoundries' Austin facility houses servers, repositories and archives for processing, managing and storing the substantial records, data and documents generated by GlobalFoundries' operations in Austin. GlobalFoundries' Austin facility also employs a case system to interface with customers (such as AMD) and manage their questions and issues requiring support from GlobalFoundries. I am also

informed and believe that no such records are generated, stored or maintained in the Waco Division (other than associated with the one employee referenced in paragraph 10).

14. I declare under penalty of perjury under the laws of the United States of America that to the best of my knowledge and belief that the foregoing is true and correct.

Executed on: July 8, 2022

By:


Faisal Saleem